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TN 3671



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Issue application of:
Harold O. Treece

Serial No.: 09/970,432

Filed: 10/03/2001

For: UNIVERSAL CEMENTING PLUG

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Examiner: C. Novosad

Art Unit: 3671

Mail Stop Amendment

Commissioner For Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

I. Introductory Comments

The present paper is being submitted in response to the Office Action of April 16, 2003, Office Action of February 6, 2004, Notice of Non-Compliance of December 21, 2004, and Communication of June 16, 2005.

No additional fees are deemed necessary, but the Commissioner is hereby authorized to charge any additional fee required by this paper, or to credit any overpayment, to Deposit Account No. 08-1394 of Haynes and Boone, LLP.

Amendment to the Specification is set forth on page 2 of this paper.

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 4 of this paper.

A new declaration is attached.

2 mos.

REMARKS

Reconsideration of this application in light of the above amendments and the following remarks is requested.

The specification has been amended to include a reference to the continuation application.

Attached is a new declaration that overcomes the rejections set forth in the office actions. In this context, the rejection of claims 1-51 based on a defective reissue declaration is traversed on the ground that claims 1-51 are the original patent claims.

Claim 89 has been cancelled and its limitations have been added to claims 92 and 93 to rewrite the latter claims in independent form. In view of the fact that the rejection based on the defective declaration has been overcome, claims 92 and 93 are allowable. Also, previously rejected claims 90 and 91 have been amended to depend from claim 92 and are therefore allowable along with the remaining claims 94-108 and, of course, original patent claims 1-51.

In summary, the original patent claims 1-51, along with amended claims 90-93, and previously submitted claims 94-108 are allowable. Therefore, an early notice of allowance of claim 1-51, and 90-108 is requested.

This is to acknowledge a telephone interview between the undersigned and Examiner Novosad on December 21, 2004 in which the undersigned was informed that the amendment submitted on April 12, 2004 was not entered, and that he will enter a Notice of Non-compliance into the application today in which applicant will be given a one month response period with no additional fees required. He also indicated that if an amendment was filed in response to the advisory action presenting the claims in the above format and submitting the new declaration, the application would be in condition for allowance.

Should the Examiner have any questions or comments regarding the above, he is invited to telephone the undersigned at the number listed below.

Respectfully submitted,



Warren B. Kice
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CERTIFICATE OF MAILING

This paper is being deposited with the U.S. Postal Service as First Class Mail addressed on the date indicated above to Mail Stop Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

DATE OF DEPOSIT: 8-25-2015

Debbie Ludwig

Name of person mailing paper and fee

Debbie Ludwig

Signature of person mailing paper and fee